ACTION MEMORANDUM SE-5J

DATE: NOV. 04, 2002

SUBJECT: ACTION MEMORANDUM - Request to Conduct a Time-Critical Removal Action at the Calumet Container Site, Hammond, Lake County, Indiana (Site ID# 0566)

FROM: Verneta Simon, On-Scene Coordinator
Response Section III

TO: William E. Muno, Director
Superfund Division

THRU: Rick C. Karl, Chief
Emergency Response Branch

I. PURPOSE

The purpose of this memorandum is to document the threat and obtain your approval to expend up to $ 1,732,146 to mitigate the threats identified during a removal assessment at the Calumet Container site. This site is on both Indiana and Illinois land, however, it has been given an Indiana address, 3631 State Line Avenue in Hammond, Indiana. Approximately 90% of the site exists in Indiana and the remaining 10% is in Illinois. Calumet Container has been the subject of two removals in calendar years 1982 and 1984. To date, U.S. EPA has spent $ 639,527.65, and recovered $ 472,171.49. Also, the Indiana Department of Environmental Management (IDEM), the Illinois Environmental Protection Agency (Illinois EPA), the Illinois Attorney General's Office (Illinois AGO), the Indiana Attorney General's Office, the Indiana State Board of Health, and the City of Hammond have spent funds at this site. Whenever records exist, the funds expended by an agency are described in detail in the next section. This removal is classified as time-critical because despite being fenced, trespassing continues. The latest trespassing incident resulted in the site becoming an unofficial "pet cemetery." This removal will require an estimated 90 working days to complete.

The scope of this action is to excavate and dispose of 19, 250 cubic yards of contaminated soils. There are two potential post-remediation scenarios that have been proposed by the surrounding community in Illinois and Indiana and the City of Hammond. (Copies of correspondence sent by the constituents of Illinois and Indiana and their respective political entities are contained in Attachment IV.) One scenario is to return the excavated area into wetlands since 50 % of the site is already a low to medium quality wetlands. Another scenario would be to maintain the pond at

Calumet Container, allow the City of Hammond, Indiana to route their light truck route across the site and, develop the remaining property as commercial. The latter scenario would resolve Hammond's problems with trucks in the neighboring residential community, Pulaski Park, and help discourage fly dumping at the site and along Boy Scouts Drive. Boys Scouts Drive is a paved one lane street on the north side of Calumet Container that runs east-west between Hammond, Indiana and Chicago, Illinois. During the Spring, Boys Scout Drive is under water, which could be addressed by an engineering solution like raising the street or culverts. Furthermore, additional revenue would be available to the City of Hammond by developing some property as commercial.

This site is not on the National Priorities List (NPL), does not set any precedents, and is not nationally significant. This site was scored for the NPL but did not meet the qualifier.

II. SITE CONDITIONS AND BACKGROUND

CERCLIS ID# IND 980 500 193

A. Site Description

1. Removal Site Evaluation

On November 15, 2001, IDEM's State Cleanup Program performed a follow-up investigation at Calumet Container. During this investigation, two surface soil locations and three monitoring well locations were chosen for sampling. These locations were analyzed for Total RCRA metals, PCBs/Pests, VOCs, SVOCs. Results were as follows:

Soil Location S -1: Barium - 1, 700 parts per million (ppm)
Cadmium - 93 ppm
Chromium - 1, 300 ppm
Lead - 3, 800 ppm

Soil Location S-2: Barium - 6, 000 ppm
Cadmium - 590 ppm
Chromium - 4, 600 ppm
Lead - 46,000 ppm

Results for SVOCs, VOCs were below the State of Indiana Risk Integrated System of Closure (RISC) clean-up protocols. Also, noted during this investigation were two semi-tanker trailers (empty), and approximately 8-10 drums of unknown contents (solid material), one of these drums has been placed in an open overpack. The site fence had some openings for public access and there was evidence of trespassing.
Due to the above results and observations, U.S. EPA received written permission from the most current Indiana owners and conducted a removal assessment. The first date for the assessment was February 20, 2002, however, precipitation resulted in shortening the assessment and led to a

continuation of the assessment during the week of April 29, 2002. During the week of April 29, 2002, not all assessment activities were completed because field conditions were too rugged for the U.S. EPA-owned geoprobe so the assessment was continued during the week of May 20, 2002. Results of the removal assessment are contained in the Administrative Record.

During this three-month period, U.S. EPA noticed that a "pet" grave appeared to be getting larger and gave verbal notice to West Shore Pipe Line to repair the breaches in the site fence that cross their pipeline right-of-way. On April 29, 2002, West Shore Pipe Line Company repaired the east
and west breaches of the site fence. There are large mounds of scrap metal, drums, tankers, plating vat, and other debris.

2. Physical Location

The Calumet Container site occupies 11 acres and is bounded by 136th Street, otherwise known as Boy Scouts Drive, and two lines of the Indiana Harbor Belt Railroad. This site is actually triangular as indicated in Figure 1. Purportedly, the factory occupied 5 ½ acres of this triangular site. Five pipelines traverse this site and are owned by either West Shore Pipe Line Company, Marathon, or Praxair. Land use within 1/4 mile of the site boundary is both industrial and residential. According to the 1990 census, 5,000 people reside within 1/4 mile of the site. A mobile home park is located directly adjacent to the site to the east and another is across 136th Street to the northwest. A small pond and wetland vegetation around its margin are situated in the northeast corner of the property and across 136th Street to the north is Wolf Lake, an interstate fishing and recreational lake. Beyond the rail line to the southwest is another recreational lake, Powderhorn Lake, and the Burnham Woods forest preserve. Lake Michigan is located less than 3 miles to the northeast of the site. Wolf Lake is about 100 yards from the site and Powderhorn Lake is about 60 yards.

3. Site Characteristics

The Calumet Container site formerly housed a factory where drums containing chemicals and paints were emptied, cleaned, repainted, and resold for use. This factory began its operation in the 1960s and continued until April 21, 1982, when a fire caused a total loss of the factory building. On April 22-23, 1982, a U.S. EPA On-Scene Coordinator inspected this site and this eventually led to an obligation of $ 25,000 by U.S. EPA for an immediate removal. The immediate removal was to prevent surface and air migration of hazardous substances. This removal began on May 7, 1982 and concluded on May 21, 1982. During this immediate removal, 30 cubic yards of sludge and 5,500 gallons of contaminated liquids were disposed off-site. The total cost of this removal was $ 25,478.

[Insert Figure 1 - General Map showing the site w/ Powderhorn and Wolf lakes]

In October 1982, funds were approved by U.S. EPA for a $ 319,000 planned removal action. This planned removal action commenced on January 10, 1984 and was completed on February 17, 1984. This planned action involved a surface cleanup of containerized liquids, solids, and sludges, which were mostly stored in 69 semi-trailers that were located throughout the site, and the excavation and disposal of grossly contaminated soil. On page 6 is Figure 2, which shows site conditions for the planned removal action. For this removal, 5,000 gallons of hazardous waste were sent off-site for incineration and 1,345 tons of crushed drums, solid waste materials, and contaminated soil were sent to an off-site landfill.

According to the 1984 On-Scene Coordinator's Report, the Illinois Attorney General's Office had contracted with Soil Testing Services, Inc. of Northbrook, Illinois (STS) [1] in 1980 to evaluate the extent of ground water contamination in Illinois caused by Calumet Container. The scope of the STS study was to determine the direction of ground water movement and the potential for contaminants to migrate into Illinois. Ground water samples were shown to contain elevated levels of organics some of which were phenolics, toluene, xylene, and heavy metals. Based on a ground water computer model, STS concluded that ground water flow was potentially moving from Calumet Container into Illinois possibly threatening Wolf Lake. For this study, eleven ground water wells were installed. It is unknown if these wells were properly abandoned.

Please note that one of the guidelines of the 1984 planned removal action was for U.S. EPA to provide 90 % of the funds and the states the remaining 10%, or $ 30,980. Thus, the State of Illinois was credited for the amount of money spent by the IAGO for the STS ground water investigation, or $ 11,842. The State of Indiana, through a contract with the City of Hammond, provided $ 19,138.

The 1984 On-Scene Coordinator's Report also stated U.S. EPA would install ground water monitoring wells along the periphery of the site adjacent to Powder Horn Lake, and between Wolf Lake and 136th Street. During August 1984, 10 monitoring wells were installed. According to letter dated June 11, 1984, U.S. EPA would analyze the first round of samples and provide the results to the States of Indiana and Illinois, then the States of Indiana and Illinois were expected to maintain these wells in the future. To date, neither U.S. EPA or IDEM have been able to find any water quality data. This report also stated that the U.S. EPA On-Scene Coordinator recommended to the owner of Calumet Container, Mr. John Jagiella, that he remove the remaining scrap for its salvage value, grade the area around the factory, and work with the city of Hammond, Indiana to restore use of the land.

[Insert Figure 2 - Map from 1984 OSC Report]

[1] Currently known as STS Consultants, Ltd.

According to an Illinois EPA Memorandum dated September 13, 1999, the site time line was as follows:

December 1985	A fence is put up around Calumet Container
January 1986	One thousand feet of fence is stolen from around the site.
July 16, 1986	It was reported that someone was taking contaminated soil from the site to use as residential fill dirt. Soil samples taken from a Hammond, Indiana residential property found elevated levels of mercury.
February 28, 1990	Calumet Container file is closed. The state of Indiana initiated a CERCLA clean-up of the site.
March 14, 1991	A consent decree was entered into the U.S. District Court for Northern Indiana. The States of Illinois and Indiana were the plantiffs and Mr. John Jagiella is the defendant.
August 30, 1994	Illinois EPA closed enforcement file in memorandum dated August 30, 1994.
September 5, 1996	Memo regarding telephone conversation with IDEM. This site and all the drums have been cleaned up.

Copies of this Memorandum dated September 13, 1999 and the telephone conversation record of September 5, 1996 are contained in its entirety in the Administrative Record. On November 28, 1989, U.S. EPA settled with 18 responsible parties.

During 1987-1988, IDEM contracted with Hydroscience to perform a remedial investigation. Reports generated as part of this investigation are in the Administrative Record. This investigation we believe was completed, however records are not clear. Furthermore, the reports in the Administrative Record are missing pages.

An Environmental Justice (EJ) analysis was prepared for this site and is contained in Attachment III. In Indiana, the low-income percentage is 29% and the minority percentage is 10%. To meet the EJ concern criteria, the area within 1 mile of the Site must have a population that is twice the state low percentage and/or twice the state minority percentage. That is, the area must be at least 58% low-income and/or 20% minority. At this Site, the low-income percentage is 32% and the minority 9% as determined by Arcview EJ analysis. Therefore, this Site does not meet the region's EJ criteria based on demographics as identified in "Region 5 Interim Guidelines for Identifying and Addressing a Potential EJ Case, June 1998".

4. Releases or Threatened Release into the Environment of a Hazardous Substance, or Pollutant, or Contaminant

As mentioned earlier, when U.S. EPA and START arrived on February 20, 2002, there were 14 drums, a break in the fence along the west side of the site and a hole in the fence at the east end of the site. Other observations include patches of dense, ground-cover vegetation and mature trees, an old building foundation, three abandoned tanker trucks in the same location noted during the 1984 removal (See Figure 2), 17 ground water monitoring wells, and large piles of scrap and miscellaneous debris.

Analytical results show that one drum has hazardous waste. This drum has a flashpoint of 80 ^{o}F, which is below the criteria level (less than 140 ^{0} F) indicating the drum is D001 waste.

X-ray Fluorescence (XRF) screening was conducted on 143 samples, at surface and subsurface intervals, from 53 sample locations. Screening results for lead concentrations in soil indicated the highest was 6,848 parts per million(ppm) or milligrams per kilogram (mg/kg).

According to Dr. Patricia Van Leeuwen, Region V Lead Expert, the soil screening value for lead is 400 ppm in a residential setting, which is based on the U.S. EPA Integrated Exposure Uptake Biokinetic (IUEBK) Model, however, 400 ppm can be used as both screening and cleanup level if there is no data to do a site-specific risk assessment. Furthermore, the 400 ppm value is consistent with the IDEM default closure value for residential (child) direct contact pathways.

Several strategies are available for developing screening levels that could be considered cleanup values for lead in soil at commercial/industrial sites. In general, the Technical Review Workgroup for Lead (TRW) recommends using a value that is appropriate for either the "census region" or the "racial/ethnic group" of interest, whichever is more appropriate. These strategies are summarized in the Blood Lead Concentrations of U.S. Adult Females: Statistics from Phases 1 and 2 of the National Health and Nutrition Evaluation Survey (NHANES III), March 2002, report on the TRW website, and can vary from 794 to 1,079 ppm for Region V. For this Action Memorandum, we used the site-specific value of 1,000 ppm for estimating the worst-case soil volume since it is a conservative number and because the specific post-remediation scenario has not been selected.

Twenty-six soil samples were collected from 24 locations during the site assessment and sent for laboratory analysis. These results were compared to the industrial-use criteria for the U.S. EPA Region III Emergency Removal Guidelines, the State of Indiana Risk Integrated System of Closure (RISC) cleanup protocols, and the Illinois EPA Tiered Approach to Corrective Action Objectives (TACO). The basis for the lead value was discussed on page 7. Below is a brief summary of the hazardous substances found at the site:

Metals

Lead concentrations were determined by the off-site laboratory to range from 2.8 mg/kg to 13,000 mg/kg. At seven sampling locations, the sample result exceeded the lead criteria level (1,000 mg/kg).

Concentrations of cadmium in soils ranged from undetectable to 27,000 mg/kg. Cadmium concentrations exceeded the Region III criteria level (10,000 mg/kg) in soils at three sampling locations.

VOCs and BTEX

Seventeen surface and subsurface soil samples were analyzed for VOCs and BTEX. Results indicated that VOCs or BTEX were detected at concentrations that exceeded the TACO criteria levels at five sampling locations. Individual VOCs that exceeded criteria levels on-site were: ethylbenzene, total xylene, and toluene.

Ethylbenzene concentrations in soil samples ranged from undetectable to 970,000 micrograms per kilogram (ug/kg). The TACO criteria level for ethylbenzene is 400,000 ug/kg and was exceeded in three sampling locations.

Total xylene concentrations in soil samples ranged from undetectable to 4,200,000 ug/kg. At four sampling locations, concentrations of total xylene were exceeded the TACO criteria level of 320,000 ug/kg.

Toluene concentrations ranged from undetectable to 8,400,000 ug/kg. The TACO criteria level for toluene is 650,000 ug/kg and was exceeded in three sampling locations.

SVOCs

Ten surface and subsurface soil samples were analyzed for SVOCs. Criteria levels were not exceeded by any SVOCs like IDEM's sampling in calendar year 2001.

PCBs and Pesticides

Ten surface and subsurface soil samples were analyzed for PCBs and pesticides. No PCBs or pesticides compounds were detected above criteria levels.

TCLP Metals

Four surface soil samples were analyzed for TCLP metals. Concentrations of TCLP lead and TCLP cadmium were exceeded in one sampling location. The criteria is 5 milligrams per liter (mg/l) for TCLP lead and 1 mg/l for TCLP cadmium. The results were 33.3 mg/l for TCLP lead

and 4.17 mg/l for TCLP cadmium.

Figures 3 and 4 show the soils that need to be excavated based on metal and/or VOC concentrations.

B. Other Actions to Date

As described earlier, the removal assessment took three visits before all the necessary data was collected. While collecting the data, two of the three breaches in the fence were repaired on April 29, 2002. On June 25-26, 2002, community updates were held at the American Legion in Hammond, Indiana and Chicago State University in Chicago, Illinois. As a result of these community meetings, two information repositories and a website were setup. On July 31, 2002, U.S. EPA and IDEM presented the results of the Calumet Container removal assessment during a meeting called by the Wolf Lake Visions Implementation Committee at the Hammond, Marina.

A discussion of possible re-use of the 11-acre site followed our presentation with most of the participants favoring wetland restoration (See Attachment IV). U.S. EPA Region 5 Water Division inspected the site on September 30, 2002 to further assess the wetland. On October 4, 2002, the city of Hammond further investigated the "pet grave" and found the remains of two dogs and a racoon.

C. Local Authorities' Roles

1. State and local actions to date

It appears that in the early 1980s, Illinois EPA, IDEM, and the City of Hammond were very involved with this site, but after the 1984 OSC report was issued these local entities failed to complete assessment and cleanup activities at the site. For example, a ground water study was conducted by the Illinois Attorney General's Office, but U.S. EPA could not confirm the results of this investigation. In November 2001, IDEM confirmed the contaminated nature of the site and notified U.S. EPA. However, when U.S. EPA investigated the site on February 20, 2002, U.S. EPA determined that 10 of the 14 drums discovered contain site-derived waste from an IDEM contractor. Further the City of Hammond had incurred $ 19,138 for remediation and was expected to work with Mr. Jagiella to restore the property. Based on our observations in 2002, it does not appear that either party worked together to restore any portion of the property.

[Insert Figure #3]

[Insert Figure # 4]

III. THREAT TO PUBLIC HEALTH OR WELFARE OR THE ENVIRONMENT, AND STATUTORY AND REGULATORY AUTHORITIES

Conditions at the Calumet Container site constitute a threat to public health, welfare, or the environment based upon the factors set forth in Section 300.415 (b)(2) of the National Oil and Hazardous Substances Pollution Contingency Plan (NCP). A time-critical response action is an appropriate response. These conditions included, but were not limited to, the following:

a) actual or potential exposure to nearby human populations, animals, or the food chain from hazardous substances, pollutants or contaminants;

Results from sampling by IDEM in 2001 and the 2002 site assessment by U.S. EPA demonstrate there are elevated metals and organics still remaining at Calumet Container. Furthermore, the final report prepared in 1988 by Hydroscience, an IDEM contractor, indicated similar results. Pertinent sections of the 1988 Hydroscience report are reproduced below.

Specifically, the 1988 Hydroscience report stated there was widespread contamination of soil by heavy metals and hazardous organic substances throughout the site. A sample was considered contaminated if heavy metals occurred in concentrations above normal background levels in northern Indiana, or if organic substances that had been identified as hazardous or potentially hazardous were detected. Lead, cadmium, chromium, and cyanide were the most widely occurring inorganic contaminants. Di-n-butyl phthalate, methylene chloride, methyl ethyl ketone, bis(2-ethylhexyl) phthalate, toluene, m-xylene and o-xylene were the most frequently occurring organic contaminants. Methylene chloride and methyl ethyl ketone occurred in more than three-quarters of the samples.

Comments made by Hydroscience on the 1984 U.S. EPA CERCLA clean-up were that most of the highly contaminated soils were removed. However, high levels of lead (greater than 10,000 parts per million (ppm)) remain in the central part of the site, northeast of the CERCLA clean-up zone. Concentrations of lead generally exceed 1,000 ppm in the central and southern area of the site that lie outside the CERCLA clean-up, as indicated in Figure 5.

Organic contaminants were detected at all sample locations. The areas of the highest concentrations of total organics are in the very southern part of the site (6,481 ppm) and the east central part (6,366 ppm). Concentrations of total organics also exceed 1,000 ppm in the north central area.

In general, metals contamination decreased with depth, although there are a few locations where lead and cadmium increased with depth. On the other hand, levels of total organics increased with depth at the same number of locations as they decreased with depth, indicating that migration of organics deeper into the soil profile is common.

[Insert # 5]

As mentioned earlier, the predominant metal is lead, which was determined in 1988. According to a report by Hydroscience in 1988, lead, cyanide, di-n-butylphthlate, methylene chloride, and methyl ethyl ketone occurred in three-quarters of the samples. Cadmium, chromium, bis (2-ethylhexyl)-phthlate, toluene, m-xylene, o-xylene occurred in three-quarters to one-half of the samples. Nickel, phenols, di-n-octylphthlate, and ethyl benzene occurred in one-half to one-quarter of the samples. Three metals (arsenic, barium, and mercury) occurred above background levels in less than one-quarter of the samples and 20 of the organic constituents.

Exposure to humans, animals, and the food chain exists. Examples of human exposure are the trespassing incidents like breaches in the fence, site soils used as backfill at a Hammond, Indiana residence, and discovery of the "pet" cemetery. Animals are exposed to various contaminants identified in the surface and subsurface soil samples depending on their interaction with the site. For example, most birds which land on the site are in direct-contact with the contaminated soils since the area backfilled with 162 tons of clay during the 1984 CERCLA removal was very small compared to the relative size of Calumet Container (See Figure 5). Fish may be affected by the site via groundwater due to the hydraulic connection between the site and Powderhorn and Wolf Lakes. The food chain (a sequence of organisms in a community in which each member of the chain feeds on the member below it) pathway exists because the contamination is widespread and affects both soils and groundwater.

b) high levels of hazardous substances or pollutants or contaminants in soils largely at or near the surface, that may migrate;

As explained above, sampling by IDEM and U.S. EPA have demonstrated widespread contamination by lead and hazardous organic substances throughout this site. In addition, Figure 5 indicates that there were at least two areas of buried metallic objects. To date, we have been unable to determine if these areas were investigated in the past. A copy of the magnetometer survey is contained in the Administrative Record.

c) weather conditions that may cause hazardous substances or pollutants or contaminants to migrate or be released;

This condition is possible because of precipitation. In 1984, the area that was excavated by U.S. EPA was capped with clay in order to significantly retard additional contaminants in leachate. Surface water can migrate off-site, when water from the on-site pond extends outside the fence, thus allowing water to leave the site at that point. Also, surface water that pools in depressions can cause contaminants to migrate deeper into the subsurface and eventually into the groundwater which is either flowing into Wolf Lake or Powderhorn Lake.

IV. ENDANGERMENT DETERMINATION

Given the nature of the hazardous substances on Site, and current conditions, as described in Sections II and III above, failure to implement the activities set forth in this Action Memorandum would present an imminent and substantial endangerment to public health, or

welfare, or the environment through direct contact, ingestion, and inhalation. The risk to human health was assessed by applying the Spatial Analysis and Decision Assistance (SADA) software. The SADA software determined there was a risk to human health based on the concentrations of ethylbenzene, m-p xylenes, and toluene on-site. Benzene and o-xylene were found to not pose a risk to human health. Copies of the SADA plots are in the Administrative Record.

V. PROPOSED ACTIONS AND ESTIMATED COSTS

The response actions described in this Action Memorandum will abate the threat posed to human health and the environment by this site. Activities proposed are:

1) Remove and dispose of 14 drums/overpacks;
2) Assess the integrity of the monitoring wells and abandon;
3) Remove the scrap, tankers, and other metal debris;
4) Excavate approximately 19,250 yds of contaminated soils[2];
5) Characterize waste and dispose of accordingly;
6) Restore excavated areas.

Detailed cleanup contractor costs are presented in Attachment 1 and estimated project costs are summarized below:

EXTRAMURAL COSTS	
Cleanup Contractor	$ 1,179,913
Contingency (15%)	176,987
Subtotal	$ 1,356,960
START (Includes Multiplier)	121,500
Extramural Subtotal	$ 1,478,460
Extramural Contingency (10%)	147,846
TOTAL, EXTRAMURAL COSTS:	$ 1,626,306
INTRAMURAL COSTS:	
U.S. EPA Direct Costs	
$30/hr x (1,080 Regional + 108 HQ hrs)	$ 35,640

[2]The excavation depth is 2 feet, which is based on the latest guidance drafted by the National Technical Work Group (TRW) for lead.

U.S. EPA Indirect Costs	
$65/hr x (1080 Regional hrs)	70,200
TOTAL, INTRAMURAL COSTS	$ 105,840
TOTAL REMOVAL PROJECT CEILING ESTIMATE	$ 1,732,146

Threats posed by the soils meet the criteria listed in §300.415(b)(2) of the NCP and were consistent with the removal action performed. U.S. EPA believes the actions taken will not impede any future response activity and will not require any post-removal site controls.

The response action described in this Memorandum directly addresses the contamination documented by U.S. EPA and IDEM, which poses a substantial threat to the public health, welfare, and the environment. These response actions do not impose a burden on the affected property disproportionate to the extent to which that property contributes to the conditions being addressed.

All applicable, relevant, and appropriate requirements (ARARS) will be complied with to the extent practicable. Letters requesting ARARs will be sent to Illinois EPA and IDEM once this memorandum is approved.

VI. EXPECTED CHANGE IN THE SITUATION SHOULD ACTION BE DELAYED OR NOT TAKEN

Delayed or non-action will result in contaminants migrating deeper on-site and further off-site. Currently, ground water is thought to move either towards Wolf Lake or Powderhorn Lake, which are both recreational lakes. Surface water depending on weather conditions can migrate off-site or pool in a depression. Weather conditions that can cause off-site migration can occur, for example, when water from the on-site pond extends outside the fence, thus allowing water to leave the site at that point. During 1987-1988, the on-site pond was determined to have a depth of 7 feet. Past depression sampling has indicated that only organics concentrate in depressional areas, metals results did not indicate such a pattern.

VII. OUTSTANDING POLICY ISSUES

The Calumet Container Site contains isolated wetlands, if manmade structures are considered such as railroad tracks on the west and a roadway on the north. If these structures are discounted, the Site is hydraulically connected with Powderhorn Lake and Wolf Lake. Therefore, it would be prudent to coordinate this action with the following state and local agencies: Illinois EPA, IDEM, Illinois Department of Natural Resources, Indiana Department of Natural Resources, and the Cook County Forest Preserve.

The Indiana parcels of Calumet Container are currently zoned I-2 Manufacturing, which is heavy industrial. In Attachment 4, there are interested parties that would like this property to become a

wetland and if so, the type of wetland would need to be decided. During initial discussions between the City of Hammond, IDEM, and U.S. EPA, the possibility of an educational wetland was suggested by the City of Hammond where children could interact with nature. The City of Hammond just recently suggested a pond/light truck route and commercial development for Calumet Container. At any rate, there is definitely a need to have this Action Memorandum approved without the post-remediation control(s) being decided given the level of interest and the diverse views, but have the caveat that on-site work will not commence until the post-remediation scenario is decided and any post-removal controls needed are in writing with either the companies or individuals deemed to be responsible parties, property owners, community groups or governmental agencies, etc.

VIII. ENFORCEMENT

For administrative purposes, information concerning confidential enforcement strategy for this site is contained in the Confidential Enforcement Addendum.

The total EPA costs for this removal action based on full-cost accounting practices that will be eligible for cost recovery are estimated to be $2,313,595 [3].

IX. RECOMMENDATION

This decision document represents the selected emergency action for the Calumet Container site, located in Hammond, Lake County, Indiana, and developed in accordance with CERCLA, as amended by SARA, and is not inconsistent with the NCP. This decision is based upon the Administrative Record for this site. Attachment 2 identifies the items that comprise the Administrative Record upon which the selection of the removal is based.

Because the conditions at the site met the NCP § 300.415(b)(2) criteria for a $1,732,146 removal action, your approval of this request is recommended. The estimated total project costs were $1,732,146 of which up to $1,504,806 may be used for cleanup contractor costs. You may indicate your decision by signing below:

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[3]Direct Costs include direct extramural costs and direct intramural costs. Indirect costs are calculated based on an estimated indirect cost rate expressed as a percentage of site-specific direct costs, consistent with the full cost accounting methodology effective October 2, 2000. These estimates do not include pre-judgement interest, do not take into account other enforcement costs, including Department of Justice costs, and may be adjusted during the course of the removal action. The estimates are for illustrative purposes only and their use is not intended to create any rights for responsible parties. Neither the lack of a total cost estimate nor deviation of actual costs from this estimate will affect the United States' right to cost recovery.

APPROVE: _____DATE_____
Director, Superfund Division

DISAPPROVE: _____DATE_____
Director, Superfund Division

Confidential Enforcement Addendum

Attachments
1. Independent Government Estimate
2. Administrative Record Index
3. Environmental Justice Analysis
4. Correspondence regarding Post-remediation Scenarios

cc: Ray Worley,U.S. EPA, OERR, 5202-G
Michael Chezik, U. S. Department of Interior
Renee Cipriano, Illinois Environmental Protection Agency
Steve Davis, Illinois Department of Natural Resources
Elizabeth Admire, Indiana Department of Environmental Management
Gary Doxtater, Indiana Department of Natural Resources
Ron Novak, Hammond Department of Environment Management